

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
KATE SPADE LLC and COACH SERVICES, INC.,

Plaintiffs,

Civil Action No.: 23-cv-05409

v.

VINCI BRANDS, LLC AND ACS GROUP
ACQUISITIONS LLC,

Hon. Lorna G. Schofield, U.S.D.J.
Hon. Valerie Figueredo, U.S.M.J

Defendants,

----- X
ACS GROUP ACQUISITIONS LLC,

Counterclaim Plaintiff,

v.

KATE SPADE LLC, COACH SERVICES, INC., and
CASE-MATE, INC.,

Counterclaim Defendants,

----- X

**VINCI BRANDS LLC’S MOTION FOR LEAVE TO FILE UNDER SEAL CERTAIN
EXHIBITS TO ITS OPPOSITION TO KATE SPADE LLC’S AND COACH SERVICES,
INC.’S MOTION FOR LEAVE TO FILE A THIRD AMENDED COMPLAINT**

Defendant Vinci Brands LLC (“Defendant” or “Vinci”), by its attorneys, Benesch Friedlander Coplan & Aronoff, for its Motion to File Under Seal Exhibits A, B, and C to the Vatis Declaration in Support of Its Opposition to Kate Spade LLC’s and Coach Services, Inc.’s Motion for Leave to File a Third Amended Complaint (“Opposition”), states as follows:

1. On June 18, 2024, Case-Mate filed a Motion for Leave to File a Third Amended Complaint.
2. Vinci now seeks to file its Opposition.
3. Vinci’s Opposition includes a Declaration from Michael Vatis, which attaches and

references (among others) three confidential exhibits: two internal emails produced by parties to this litigation under the protective order, and a contract between Vinci and Superior Communications, Inc., which contains a confidentiality clause.

4. For the reasons given in the attached Memorandum in Support, Vinci respectfully requests that it be granted leave to file these documents under seal.

5. Vinci requests that the proposed exhibits be limited to the following viewing level in this Court's electronic filing system: "Selected Parties" (see attached appendix for list of permitted parties who should have access to the proposed sealed documents).

6. Contemporaneously filed with this motion are the following documents: (a) Vinci's Memorandum of Law in Support of this Motion; (b) the Opposition; (c) the Declaration of Michael Vatis in support of the Motion, with attached non-confidential exhibits; and (d) the proposed Exhibits A, B, and C under seal.

7. Vinci attaches a Proposed Order for use in the event this motion is granted.

WHEREFORE, Plaintiff Vinci Brands LLC respectfully requests that this Court grant its Motion to File Exhibits A, B, and C to the Vatis Declaration in Support of Vinci's Opposition to Kate Spade LLC's and Coach Services, Inc.'s Motion for Leave to File a Third Amended Complaint ("Opposition").

Dated: July 2, 2024

Respectfully submitted,

/s/ Michael Vatis

Michael Vatis

Susan M. White (admitted PHV)

Warren T. McClurg (admitted PHV)

Michael Montgomery (admitted PHV)

Caroline R. Hamilton (admitted PHV)

BENESCH, FRIEDLANDER, COPLAN &
ARONOFF LLP

1155 Avenue of the Americas, 26th Floor New
York, NY 10036

Tel: 646.593.7050

mvatis@beneschlaw.com

swhite@beneschlaw.com

wmcclurg@beneschlaw.com

mmontgomery@beneschlaw.com

chamilton@beneschlaw.com

Attorneys for Vinci Brands LLC

MEMO ENDORSED



HON. VALERIE FIGUEREDO
UNITED STATES MAGISTRATE JUDGE

DATED: August 9, 2024

The request to seal is granted. The Clerk of Court is respectfully directed to maintain the viewing restrictions on ECF No. 325 and to terminate the motion at ECF No. 323.